GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – P.R. & R.D. Department - Allegation of irregularities in execution of works in Atchaiahpalem village of Rompicherla Mandal, Narsaraopet, Guntur District- Disciplinary proceedings against **Sri M. Eraswamy,** the then E.E, PRI Division, Narsaraopet (retired as SE, PR on 30.06.2024) under Rule 20 of A.P. Civil Services (CC&A) Rules, 1991- Articles of charges - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 514 **Dated: 12-09-2024**

Read:

G.O.Rt.No.512 ,PR&RD (Vig.II) Department, Dt:12.09.2024.

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ORDER:

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the Revised Pension Rules, 1980, for instituting departmental proceedings against **Sri M. Eraswamy,** the then Executive Engineer, PRI Division, Narsaraopet, Guntur District (retired as Superintending Engineer, PR on 30.06.2024) vide reference read above, it is proposed to hold an inquiry against him in accordance with the procedure laid down in Rule 20 of APCS Rules, 1991.

2. The substance of the imputation of misconduct or misbehavior in respect of which the enquiry is proposed to hold is set out in the enclosed statement of Article of charge (Annexure-I). A statement of the imputations of misconduct or misbehavior in support of article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the Article of charges are proposed to be sustained are enclosed (Annexure-III & IV).

3. **Sri M. Eraswamy,** the then Executive Engineer, PRI Division, Narsaraopet, Guntur District (retired as SE, PR) is directed to submit his written statement of defence within (10) days of the receipt of this order.

4. **Sri M. Eraswamy,** the then Executive Engineer, PRI Division, Narsaraopet, Guntur District (retired as SE, PR) is informed that an inquiry will be held only in respect of those article of charges, which are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. **Sri M. Eraswamy,** the then Executive Engineer, PRI Division, Narsaraopet, Guntur District (retired as SE, PR) is further informed that, if he does not submit his written statement of defence on or before the date specified in Para-3 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 20 of the A.P.C.S. [CC&A] Rules, 1991, or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him ex-parte.

(PTO)

6. The receipt of this G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M. Eraswamy, the then Executive Engineer, PRI Division, Narsaraopet, Guntur District (retired as SE, PR) (w.e)
(**through** the Engineer-in-Chief, Panchayat Raj, AP, Vijayawada)
The Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada (with a request to serve the charges on the individual and furnish a served copy to Govt.,)

Copy to:
The Secretary to VC, Andhra Pradesh Vigilance Commission, A.P., Velagapudi.
The PR&RD (Estt. I) Department
SF/SC.

//FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-I

STATEMENT SHOWING THE ARTICLES OF CHARGE FRAMED AGAINST **SRI M. ERASWAMY**, THE THEN EXECUTIVE ENGINEER, PRI DIVISION, NARSARAOPET (RETIRED AS SE ON 30.06.2024)

That Sri M. Eraswamy, the then Executive Engineer, PRI Division, Narasaraopet (Retired as SE,PR, Ananthapur) has allowed inferior quality of the works i.e., Pucca internal roads/streets including drainage system and culverts within village under convergence funds at ST Locality-1 in Atchaiahpalem village of Rompicherla Mandal for the Work ID No.0770540-190090**80012** with an estimated cost of Rs.15.00 lakhs" and another work "Pucca internal roads / streets including drainage system and culverts within village under convergence funds at ST Locality-1 in Atchaiahpalem village of Rompicherla Mandal for the Work ID No. 07705402101008**0018**" with an estimated cost of Rs.20.00 lakhs" and 1st QC team who conducted inspection on 25.04.2019 proposed "nil" recovery and whereas, 2nd QC team has attended the above works on 03.08.2020 & 08.08.2020 and conducted inspection and proposed for recovery of Rs.10,25,213/- & Rs. 17,27,072/- respectively in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have arisen and huge embarrassment was created in dealing with legal issues before the Hon'ble High Court of AP in Contempt Case No. 472/2022 in WP No. 24401/2021 filed by Sri Mandalapu Chinna Venkata Rao, R/o Guntur District.

Thus Sri M. Eraswamy, the then Executive Engineer, PRI Division, Narasaraopet (Retired as SE, PR, Ananthapur) has failed to discharge his legitimate duties and gross negligence in attending his duties and acted in contravention of Rule 3 of APCS (Conduct) Rules 1964.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-II

STATEMENT OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST **SRI M. ERASWAMY,** THE THEN EXECUTIVE ENGINEER, PRI DIVISION, NARSARAOPET (RETIRED AS SE ON 30.06.2024)

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BASIS:

Whereas, as per Quality Control norms and procedure, the 1st Quality Control Inspections were conducted on 25.04.2019 in respect of the works in Rompicherla Mandal of erstwhile Guntur district and proposed no recovery. At that time, Sri M. Eraswamy worked as Executive Engineer, PRI Division, Narasaraopet (Retired as SE, Ananthapur). The said 1st QC reports were intimated / communicated to the concerned executing officers i.e. EE, DEE & AEE. Subsequently, as per the orders, 2nd QC inspection team has attended the above (2) works and conducted inspections submitted report dated 03.08.2020 & 08.08.2020. The 1st QC Team report has proposed no recovery against the said works, but the 2nd QC team has proposed for recovery of an amount of Rs.10,25,213/- and Rs. 17,27,072/- respectively for the above two works and works were rejected. Thus, it is evident that he allowed inferior quality of work and thereby caused loss to the Government exchequer. He should have taken proper care, but he failed to discharge his legitimate duties. Thereby unnecessary complications and legal issues have arisen and huge embarrassment was created in dealing with legal issues before the Hon'ble High Court of Andhra Pradesh.

Thus, the Government Servant, Sri M. Eraswamy, the then Executive Engineer, PRI Division, Narasaraopet (Retired as SE, PR) has shown gross negligence in his legitimate duties. Thus by the above mentioned acts, he failed to maintain absolute integrity, devotion to the duty and conduct unbecoming of a Government Servant and there by contravened the Rule 3(1) & 3(2) of APCS (Conduct) Rules 1964.

Hence, the charge.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE – III

LIST OF DOCUMENTS BY WHICH THE DRAFT ARTICLE OF CHAERGE FRAMED **AGAINST SRI M. ERASWAMY**, THE THEN EXECUTIVE ENGINEER, PRI DIVISION, NARASARAOPET (RETIRED AS S.E, PR) ARE PROPOSED TO BE SUSTAINED.

(1) First QC Inspection Report dated 25.04.2019 (2 works)
(2) Second QC Inspection Team Reported dated 03.08.2020 & 08.08.2020
(3) Orders of High Court of AP, dated 25.10.2021 in WP No. 24401 of 2021
(4) Notice in CC No. 472/2022 filed by Sri Mandalapu Chinna Venkata Rao
(5) Govt. Memo No. 1769962/Vig.II/2022-1, dt. 07.09.2023 of PR&RD (Vig.II) Department.
(6) Letter No. 767/Memo/2023/A1, dated 02.01.2024 of the Executive Engineer, PRI Division, Narasaraopet.
(7)Letter No.AEE2/QA&QC-Parchur/Atchaiahpalem(V) Rompicharla, Dt.08 .01.2024 of Executive Engineer, PR QA&QC Division, Parchur.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE – IV

LIST OF WITNESSES BY WHOM THE DRAFT ARTICLE OF CHAERGE FRAMED AGAINST **SRI M. ERASWAMY**, THE THEN EXECUTIVE ENGINEER, PRI DIVISION, NARASARAOPET (RETIRED AS S.E, PR) ARE PROPOSED TO BE SUSTAINED.

- Nil –

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER